

post office and court house site at Kansas City was acquired the Missouri law governing liability for negligence continued to apply, but it had become the law of the United States, just as Spanish law became the law of the United States for Florida when Florida was ceded to the United States." However, two of that Judge's colleagues, in two separate cases,<sup>7</sup> disagreed with his views and held that the laws continued in force as the laws of the ceding State, one of them<sup>8</sup> pointing out that "the national government, in acquiring post office sites for its needs, does not undertake to extirpate the territory thus acquired and set it entirely apart as free in every respect from the dominion and control of the local sovereignty. All it does, is to proclaim its superior jurisdiction so as to give it entire freedom in using the property as an instrumentality for its operations. The National government does not undertake to interfere, supervise or control the rights of individuals arising upon the property." In view of the holding of the Supreme Court of the United States in the *Sadrakula* case, *supra*, it may be assumed that henceforth both State and Federal courts will uniformly recognize that municipal laws in effect at the time of cession become laws of the United States. However, it has been recognized that State courts may exercise jurisdiction in transitory, as distinguished from local, causes of action arising under such Federal laws.<sup>9</sup>

**64. State laws enacted after cession not effective within ceded area.**—The rule that municipal laws of a ceding State continue in force after the cession is applicable only to laws in existence at the time of the cession. State laws enacted after the cession do not become effective within the ceded area unless adopted by Congress. This is because exclusive jurisdiction comprehends exclusive legislative authority.<sup>10</sup> In *Arlington Hotel Co. v. Fant*,<sup>11</sup> the Supreme Court of the United States held that an act of the State legislature modifying the common law liability of innkeepers did not extend to a cause of action arising within the Hot Springs, Arkansas, Military Reservation, exclusive jurisdiction over which had been ceded to the United States prior to the act. In *Murray v. Joe Gerrick & Co.*,<sup>12</sup> the Court held that where a tract of land within a State had been acquired by the United States for a navy yard with the consent of the legislature of the State and the legislature had ceded exclusive jurisdiction over it to the United States, reserving only the right to serve process, a

<sup>7</sup> *Jewell v. Cleveland Wrecking Co.*, 28 Fed. Sup. 364; *Misner v. Cleveland Wrecking Co.*, 25 Fed. Sup. 763.

<sup>8</sup> *Jewell v. Cleveland Wrecking Co.*, 28 Fed. Sup. 364.

<sup>9</sup> *Madden v. Arnold*, 47 N. Y. S. 757; 57 N. E. 1116; *Norfolk & PBL RR. Co. v. Parker*, 147 S. E. 461; *Arlington Hotel Co. v. Fant*, 278 U. S. 439, 49 S. Ct. 227; *Danielson v. Donmopray*, 57 Fed. (2) 565; *Ohio River Contract Co. v. Gordon*, 244 U. S. 68, 37 S. Ct. 590.

<sup>10</sup> See section 34.

<sup>11</sup> 278 U. S. 439, 78 L. Ed. 447, 49 S. Ct. 227.

<sup>12</sup> 291 U. S. 315, 78 L. Ed. 821, 54 S. Ct. 432.